



1 appearance of the defendant as required, and (b) the safety of any other person and
2 the community.

3 Defendant submitted on the report and recommendation of the U.S. Pretrial
4 Services Agency.

5 The Court concludes that the Government is not entitled to a rebuttable
6 presumption that no condition or combination of conditions reasonably will assure
7 the defendant's appearance as required and the safety of any person or the
8 community [18 U.S.C. § 3142(e)].

9

10 II.

11 The Court finds that no condition or combination of conditions will
12 reasonably assure: the appearance of the defendant as required.

13 the safety of any person or the community.

14 The Court bases its conclusions on the following:

15 As to risk of non-appearance:

- 16 • Unknown background information as Defendant refused to be
interviewed by Pretrial Services;
- 17 • History of warrants;
- 18 • Failure to appear in a DMV matter;
- 19 • Multiple prior violations of parole;
- 20 • Bail resources unknown; and
- 21 • Multiple aliases and monickers.

22 As to danger to the community:

- 23 • Nature of the charged offense;
- 24 • Extensive criminal history, including felony convictions for weapons and
controlled substance offenses;
- 25 • Multiple convictions for violating gang injunction;
- 26 • Injunction issued by the Los Angeles Superior Court;

- Criminal associations; and
- Multiple prior violations of parole.

III.

In reaching this decision, the Court considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g).] The Court also considered the report and recommendation of the U.S. Pretrial Services Agency.

V.

IT IS THEREFORE ORDERED that Defendant be detained until trial. The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

[18 U.S.C. § 3142(i).]

/s/
HON. MARIA A. AUDERO
UNITED STATES MAGISTRATE JUDGE